

APPEAL NO. 041936  
FILED SEPTEMBER 29, 2004

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on July 8, 2004. The hearing officer determined that the respondent's (claimant) \_\_\_\_\_, compensable injury includes the diagnoses of severe lateral epicondylitis with severe tendonopathy, and extensive partial tearing of the common extensor tendon of the left elbow after October 3, 2003. The appellant (self-insured) appeals this determination. The claimant urges affirmance of the hearing officer's decision.

DECISION

Affirmed.

Extent of injury was a factual question for the hearing officer to resolve. The hearing officer is the sole judge of the weight and credibility of the evidence (Section 410.165(a)) and resolves the conflicts and inconsistencies in the evidence, including the medical evidence. (Texas Employers Insurance Association v. Campos, 666 S.W.2d 286 (Tex. App.-Houston [14th Dist.] 1984, no writ)). It was the hearing officer's prerogative to believe all, part, or none of the testimony of any witness. (Aetna Insurance Company v. English, 204 S.W.2d 850 (Tex. Civ. App.-Fort Worth 1947, no writ)). Nothing in our review of the record demonstrates that the challenged determination is so against the great weight of the evidence as to be clearly wrong or manifestly unjust. Accordingly, no sound basis exists for us to disturb the hearing officer's decision on appeal. (Cain v. Bain, 709 S.W.2d 175 (Tex. 1986)).

The hearing officer's decision and order are affirmed.

The true corporate name of the insurance carrier is **(a self-insured governmental entity)** and the name and address of its registered agent for service of process is

**M.M.  
(ADDRESS)  
(CITY), TEXAS (ZIP CODE)**

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Chris Cowan  
Appeals Judge

CONCUR:

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Daniel R. Barry  
Appeals Judge

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Gary L. Kilgore  
Appeals Judge